

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

NAND LAL,

No. C 05-02196 SI

Petitioner,

**ORDER DISMISSING HABEAS  
PETITION AS MOOT**

v.

MICHAEL CHERTOFF, Secretary of the  
Department of Homeland Security, et al.,

Defendants.

Petitioner filed a habeas petition in this Court requesting “immediate declaratory and injunctive relief from his unlawful custody” pending deportation. At the time the petition was filed, petitioner was in the custody of the Department of Homeland Security, Immigration Customs and Enforcement in Bakersfield, California. Petitioner did not challenge his removal, but solely his custody pending removal.

During the week of August 8, 2005, counsel for petitioner notified the Court that petitioner would be deported to Fiji within days. As a result, the Court conducted a telephone conference with the parties. During the conference, the Court asked counsel for petitioner to notify the Court if petitioner was deported. After receiving no information, the Court contacted counsel on August 19, 2005 and was informed that petitioner had been deported. Therefore, the question of custody pending deportation has become moot and, on that basis, the Court DISMISSES the petition.

**IT IS SO ORDERED.**

Dated: August 24, 2005

SUSAN ILLSTON  
United States District Judge